

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

JOSEPH TICHY,	:	
	:	
Plaintiff	:	
	:	NO. 3:CV-08-0064
-vs-	:	
	:	(Judge Kosik)
	:	
O'BRIEN & GERE BUSINESS	:	
SERVICES, INC., et al.,	:	
	:	
Defendants	:	

**ORDER**

\_\_\_\_AND NOW, this 13<sup>th</sup> day of March, 2007, upon consideration of the defense motion to dismiss plaintiff's punitive damages claim and to strike references to allegations of recklessness,

IT IS HEREBY ORDERED that the motion is **DENIED** without prejudice.

While proving punitive damages is a heavy burden, the allegations in the complaint are sufficient to deny the defense motion and, at least, to allow discovery for future considerations.

Defendants will file an Answer within fifteen (15) days of this Order. After which a scheduling conference will be ordered before the matter is to further proceed.

**s/Edwin M. Kosik**  
United States District Judge